

Appl. No. : 09/445,945
Filed : April 10, 2000

REMARKS

In the outstanding Office Action, the Examiner has rejected Claims 30-33 and 35-37. Claim 30 has been amended and Claim 33 has been canceled. No new matter has been added. Thus, Claims 30-32 and 35-37 are presented for further examination. Reconsideration and allowance of all Claims 30-32 and 35-37 in light of the present remarks is respectfully requested.

Rejections Under 35 U.S.C. § 103(a)

The Examiner has rejected Claims 30, 31, 33, 36, and 37 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,616,677 to Krechel, et al. The Examiner also rejected Claim 32 under 35 U.S.C. § 103(a) as being unpatentable over Krechel in view of U.S. Patent No. 5,309,945 to Sakai, et al., and Claim 35 under 35 U.S.C. § 103(a) as being unpatentable over Krechel in view of U.S. Patent No. 4,993,462 to Oxley, et al.

In regard to Claims 30, 31, 33, 36, and 37, the Examiner stated that "Krechel et al shows a gas cylinder valve with inlet 9, filler check valve 11, discharge 31, valve 41 and actuator 56", and that "the valve of Krechel et al is inherently 'adapted', or fit, to be used with a filling station that is 'capable of being automated'." The Examiner further stated that "[m]aking the discharge 31 of Krechel et al integral with the main body is considered to be an obvious variation thereof."

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings, and the prior art references, when combined, must teach or suggest all the claim limitations. M.P.E.P. § 2143.

The filling connection of amended Claim 30 comprises "an actuating element and a discharge connection on the valve body of the gas cylinder valve, comprising a filling union provided on a valve body in addition to the discharge connection, wherein the discharge connection and filling union are formed in one piece with the valve body, ... and wherein the discharge connection and the filling union each open into a separate through bore in the valve body."

The feature of "the discharge connection and the filling union each open into a separate through bore in the valve body" is similar to the feature recited in previously pending and now canceled Claim 33. However, the Examiner did not address the features as recited in previously pending Claim 33 and did not point to any teaching or suggestion in the prior art of such a

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feature. Applicant respectfully submits that the prior art of record fails to teach or suggest a filling connection wherein “the discharge connection and the filling union each open into a separate through bore in the valve body” as recited in amended Claim 30. Krechel, for example, only shows a common through-hole in longitudinal passage 5.

The feature added to Claim 33 is discussed in Applicant’s specification at page 2, lines 4-21. Namely, the handwheel of the gas cylinder valve does not have to be opened separately for the filling, wherein a separate gas filling passage is created, which is essentially independent of the discharge passage, where both passages are separated in terms of flow technology. Thus, the arrangement provides the advantage that the handwheel arranged on the side of the gas cylinder valve does not have to be opened for the filling, nor does it have to be closed again at the end of the filling operation. The filling connection of Claim 30 thereby saves two steps and the speed of filling gas cylinders is substantially increased, which particularly applies to automated filling of gas cylinders by robots.

In addition, Applicant respectfully asserts that making Krechel’s outlet member 27, with outer threaded portion 31, integral with the main body 3 is not an obvious modification where Krechel explicitly teaches away from an integral or one-piece structure. Krechel stresses the ease of interchangeability of the manifold fitting elements and their flexibility in adapting to different configurations. Specifically, the objects of Krechel’s invention include “the provision of a manifold fitting for a compressed air tank with components which can be easily interchanged; [and] the provision of such a manifold fitting that has the flexibility of changing to various configurations”. *Krechel at col. 1, lines 17-22* (emphasis added).

Thus, as the prior art of record fails to teach or suggest every element as recited in amended Claim 30, Applicant respectfully submits that Claim 30 is in condition for allowance.

Because Claims 31, 32, and 35-37 depend from Claim 30, pursuant to 35 U.S.C. § 112, ¶ 4, they incorporate by reference all the limitations of the claim to which they refer. It is therefore submitted that these claims are in condition for allowance at least for the reasons expressed with respect to the independent claim, and for their other features.

Conclusion

Applicant has endeavored to address all of the Examiner’s concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims for patentability purposes

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pursuant to statutory section 103, the reasons therefor, and arguments in support of the patentability of the pending claim set are presented above. In light of these amendments and remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: _____

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